

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

<b>THERMO KING CORPORATION,</b>	)	
	)	
<b>Plaintiff,</b>	)	
	)	
<b>vs.</b>	)	
	)	
<b>PHOENIX CASTING &amp; MACHINING, INC.,</b>	)	8:06CV657
	)	
<b>Defendant and</b>	)	<b>ORDER</b>
<b>Third-Party Plaintiff,</b>	)	
	)	
<b>vs.</b>	)	
	)	
<b>TRANSPORT REFRIGERATION, INC.,</b>	)	
	)	
<b>Third-Party Defendant.</b>	)	

This matter is before the court on the motion of Phoenix Casting & Machining, Inc. for leave to file and serve a First Amended Answer and Counterclaim [37]. Response time has passed, and the court has not received a response in opposition to the motion. Upon review of the proposed amended pleading,

**IT IS ORDERED:**

1. The motion of Phoenix Casting & Machining, Inc. for leave to file and serve a First Amended Answer and Counterclaim [37] is granted.
2. Phoenix shall file and serve its amended pleading forthwith. The opposing parties shall respond within the time allowed by Fed. R. Civ. P. 15(a).

**DATED April 25, 2007.**

**BY THE COURT:**

**s/ F.A. Gossett**  
**United States Magistrate Judge**